

15757 U.S. PTO  
10/646070  
06/22/03

<b>UTILITY PATENT APPLICATION TRANSMITTAL</b> <small>(Only for new nonprovisional applications under 37 CFR 1.53(b))</small>		Attorney Docket No. <b>546322000303</b>
		First Inventor <b>Michael W. GRAHAM and Robert N. RICE</b>
		Title <b>CONTROL OF GENE EXPRESSION</b>
Express Mail Label No. <b>EV 990 374 799 US</b>		

<b>APPLICATION ELEMENTS</b> <small>See MPEP chapter 600 concerning utility patent application contents.</small>	<b>ADDRESS TO:</b> MS Patent Application Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450
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1. <input checked="" type="checkbox"/> <b>Fee Transmittal Form (e.g., PTO/SB/17)</b> <small>(Submit an original, and a duplicate for fee processing)</small>	7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
2. <input checked="" type="checkbox"/> <b>Applicant claims small entity status.</b> <small>See 37 CFR 1.27.</small>	8. <b>Nucleotide and/or Amino Acid Sequence Submission</b> <small>(if applicable, all necessary)</small>
3. <input checked="" type="checkbox"/> <b>Specification</b> [Total Pages <b>81</b> ] <small>(preferred arrangement set forth below)</small> <ul style="list-style-type: none"><li>- Descriptive title of the invention</li><li>- Cross Reference to Related Applications</li><li>- Statement Regarding Fed sponsored R &amp; D</li><li>- Reference to sequence listing, a table, or a computer program listing appendix</li><li>- Background of the Invention</li><li>- Brief Summary of the Invention</li><li>- Brief Description of the Drawings (if filed)</li><li>- Detailed Description</li><li>- Claim(s)</li><li>- Abstract of the Disclosure</li></ul>	a. <input type="checkbox"/> Computer Readable Form (CRF)
4. <input checked="" type="checkbox"/> <b>Drawing(s) (35 U.S.C. 113)</b> [Total Sheets <b>68</b> ]	b. <b>Specification Sequence Listing on:</b>
5. <b>Oath or Declaration</b> [Total Sheets <b>2</b> ] a. <input type="checkbox"/> Newly executed (original or copy)	i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or ii. <input type="checkbox"/> Paper
b. <input checked="" type="checkbox"/> <b>Copy from a prior application (37 CFR 1.63(d))</b> <small>(for continuation/divisional with Box 18 completed)</small>	c. <input type="checkbox"/> Statements verifying identity of above copies
i. <input type="checkbox"/> <b>DELETION OF INVENTOR(S)</b> <small>Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).</small>	
6. <input checked="" type="checkbox"/> <b>Application Data Sheet. See 37 CFR 1.76 (2 pgs)</b>	

<b>ACCOMPANYING APPLICATIONS PARTS</b>	
9. <input type="checkbox"/> Assignment Papers (cover sheet & document(s))	
10. <input type="checkbox"/> 37 CFR 3.73(b) Statement <small>(when there is an assignee)</small>	<input type="checkbox"/> Power of Attorney
11. <input type="checkbox"/> English Translation Document (if applicable)	
12. <input type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449	<input type="checkbox"/> Copies of IDS Citations
13. <input checked="" type="checkbox"/> <b>Preliminary Amendment (11 pgs)</b>	
14. <input checked="" type="checkbox"/> <b>Return Receipt Postcard (MPEP 503)</b> <small>(Should be specifically itemized)</small>	
15. <input type="checkbox"/> Certified Copy of Priority Document(s) <small>(if foreign priority is claimed)</small>	
16. <input type="checkbox"/> Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). <small>Applicant must attach form PTO/SB/35 or its equivalent.</small>	
17. <input checked="" type="checkbox"/> Other: <b>REQUEST TO TRANSFER SEQUENCE LISTING FROM RELATED APPLICATION - 2 pgs</b>	

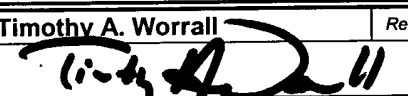
  

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76:	
<input checked="" type="checkbox"/> Continuation	<input type="checkbox"/> Divisional
<input type="checkbox"/> Continuation-in-part (CIP)	of prior application No.: <b>09/646,807 filed 12/5/00;</b> <b>CONTINUED ON PAGE 2</b>
Prior application information: Examiner <b>D. Sullivan</b> Art Unit: <b>1636</b>	
For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.	

<b>19. CORRESPONDENCE ADDRESS</b>	
<input checked="" type="checkbox"/> Customer Number: <b>20872</b>	OR <input type="checkbox"/> Correspondence address below
Name	
Address	
City	State
Country	Zip Code
Telephone	Fax

Name (Print/Type)	<b>Timothy A. Worrall</b>	Registration No. (Attorney/Agent)	<b>54,552</b>
Signature		Date	<b>August 22, 2003</b>

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as  
Express Mail, Airbill No. EV 302339364 US, in an envelope addressed to: MS Patent Application, Commissioner for Patents,  
P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: **8/22/03** Signature:  (Lilia Olsen) **EL 990374799US**

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PAGE 2 of 2

Attorney Docket: 546322000303

**18. CONTINUED:** If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76:

which was a 371 of PCT/AU99/00195 filed March 19, 1999, which is a Continuation-in-Part of United States Patent Application Serial No. 09/100,812, filed June 16, 1998 (now U.S. Patent No. 6,573,099, Issued June 3, 2003), which claimed priority to Australian Patent Application No. PP 2492 filed March 20, 1998 and Australian Patent Application No. PP 2499 filed March 20, 1998.

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Dated: 8/22/03

Signature: 

(Lilia Olsen)

15541 U.S. PTO  
08/22/03

# DUPLICATE COPY FOR FEE PROCESSING

PTO/SB/17 (05-03)  
Approved for use through 04/30/2003. OMB 0651-0032  
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<h2>FEE TRANSMITTAL</h2> <h3>for FY 2003</h3> <p><i>Effective 01/01/2003, Patent fees are subject to annual revision.</i></p>		Complete if Known	
		Application Number	Not Yet Assigned
		Filing Date	Concurrently Herewith
		First Named Inventor	Michael W. GRAHAM
		Examiner Name	Not Yet Assigned
		Art Unit	N/A
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Attorney Docket No.	546322000303
TOTAL AMOUNT OF PAYMENT (\$)		726.00	

METHOD OF PAYMENT (check all that apply)		FEE CALCULATION (continued)																																																																																																																																																																																											
<input type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input checked="" type="checkbox"/> Other <input type="checkbox"/> None <input checked="" type="checkbox"/> Deposit Account Deposit Account Number: 03-1952 Deposit Account Name: Morrison & Foerster LLP The Director is hereby authorized to: (check all that apply) <input checked="" type="checkbox"/> Charge fee(s) indicated below <input checked="" type="checkbox"/> Credit any overpayments <input checked="" type="checkbox"/> Charge any additional fee(s) during the pendency of this application <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.		<h3>3. ADDITIONAL FEES</h3> <table border="1"> <thead> <tr> <th>Large Entity Fee Code</th> <th>Large Entity Fee (\$)</th> <th>Small Entity Fee Code</th> <th>Small Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>1051</td><td>130</td><td>2051</td><td>65</td><td>Surcharge - late filing fee or oath</td><td></td></tr> <tr><td>1052</td><td>50</td><td>2052</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet</td><td></td></tr> <tr><td>1053</td><td>130</td><td>1053</td><td>130</td><td>Non-English specification</td><td></td></tr> <tr><td>1812</td><td>2,520</td><td>1812</td><td>2,520</td><td>For filing a request for ex parte reexamination</td><td></td></tr> <tr><td>1804</td><td>920*</td><td>1804</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr> <tr><td>1805</td><td>1,840*</td><td>1805</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td>1251</td><td>110</td><td>2251</td><td>55</td><td>Extension for reply within first month</td><td></td></tr> <tr><td>1252</td><td>410</td><td>2252</td><td>205</td><td>Extension for reply within second month</td><td></td></tr> <tr><td>1253</td><td>930</td><td>2253</td><td>465</td><td>Extension for reply within third month</td><td></td></tr> <tr><td>1254</td><td>1,450</td><td>2254</td><td>725</td><td>Extension for reply within fourth month</td><td></td></tr> <tr><td>1255</td><td>1,970</td><td>2255</td><td>985</td><td>Extension for reply within fifth month</td><td></td></tr> <tr><td>1401</td><td>320</td><td>2401</td><td>160</td><td>Notice of Appeal</td><td></td></tr> <tr><td>1402</td><td>320</td><td>2402</td><td>160</td><td>Filing a brief in support of an appeal</td><td></td></tr> <tr><td>1403</td><td>280</td><td>2403</td><td>140</td><td>Request for oral hearing</td><td></td></tr> <tr><td>1451</td><td>1,510</td><td>1451</td><td>1,510</td><td>Petition to institute a public use proceeding</td><td></td></tr> <tr><td>1452</td><td>110</td><td>2452</td><td>55</td><td>Petition to revive - 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late filing fee or oath		1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet		1053	130	1053	130	Non-English specification		1812	2,520	1812	2,520	For filing a request for ex parte reexamination		1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action		1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action		1251	110	2251	55	Extension for reply within first month		1252	410	2252	205	Extension for reply within second month		1253	930	2253	465	Extension for reply within third month		1254	1,450	2254	725	Extension for reply within fourth month		1255	1,970	2255	985	Extension for reply within fifth month		1401	320	2401	160	Notice of Appeal		1402	320	2402	160	Filing a brief in support of an appeal		1403	280	2403	140	Request for oral hearing		1451	1,510	1451	1,510	Petition to institute a public use proceeding		1452	110	2452	55	Petition to revive - unavoidable		1453	1,300	2453	650	Petition to revive - unintentional		1501	1,300	2501	650	Utility issue fee (or reissue)		1502	470	2502	235	Design issue fee		1503	630	2503	315	Plant issue fee		1460	130	1460	130	Petitions to the Commissioner		1807	50	1807	50	Processing fee under 37 CFR 1.17(q)		1806	180	1806	180	Submission of Information Disclosure Stmt		8021	40	8021	40	Recording each patent assignment per property (times number of properties)		1809	750	2809	375	Filing a submission after final rejection (37 CFR 1.129(a))		1810	750	2810	375	For each additional invention to be examined (37CFR 1.129(b))		1801	750	2801	375	Request for Continued Examination (RCE)		1802	900	1802	900	Request for expedited examination of a design application		Other fee (specify)						*Reduced by Basic Filing Fee Paid				SUBTOTAL (3) (\$)	0.00
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SUBMITTED BY		Complete (if applicable)	
Name (Print/Type)	Timothy A. Worrall	Registration No. (Attorney/Agent)	54,552
Signature		Telephone	(415) 268-7151
		Date	August 22, 2003

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV 302 339 364 US, in an envelope addressed to: MS Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: 8/22/03 Signature: (Lilia Olsen)